

# In the Court of Appeals of the State of Alaska

**Asad A. Nur,**

Appellant,

v.

**State of Alaska,**

Appellee.

Court of Appeals No. **A-12989**

## **Order**

Petition for Rehearing

Date of Order: **10/24/2022**

Trial Court No. **3AN-16-08744CR**

Before: Allard, Chief Judge, and Wollenberg and Harbison, Judges.

The State of Alaska seeks rehearing of our decision in his case: *Nur v. State*, Mem. Op. No. 7024, 2022 WL 4362901 (Alaska App. Sept. 21, 2022) (unpublished). The State asks the Court to delete a sentence in the opinion that it contends unfairly suggests that the prosecutor failed to inform a witness of the trial court's restrictions on the witness's testimony. Because this sentence is not material to the outcome of the decision, this Court will amend that portion of the opinion.

Accordingly, IT IS ORDERED:

1. The petition for rehearing is GRANTED.
2. The first full paragraph on page 13 of our opinion is amended by striking the portion indicated below:

We agree that D.M.'s reference to the location of the hearing as being "at the jail" was improper. ~~We are also concerned that the prosecutor may have failed to communicate the court's limitations on D.M.'s testimony to D.M. herself.~~ But ultimately, we cannot conclude that D.M.'s passing reference to whether the hearing was the one "at the jail" was so prejudicial as to necessitate a mistrial.

Entered at the direction of the Court.

Clerk of the Appellate Courts



Meredith Montgomery

cc: Judge Saxby  
Publishers (Op. No. 7024, 9/21/2022)

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